

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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STEPHANIE M. REVERON, :  
Plaintiff, : ORDER  
-v.- : 23 Civ. 10114 (JGLC) (GWG)  
ZUMIEZ, INC. et al., :  
Defendants. :  
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**GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE**

Before the Court are requests for extensions of time to respond to the complaint from two of the defendants in this 19-defendant case (not counting “John Doe” defendants). See Docket ## 36, 39.

Because there are an unusually large number of defendants in this case, the allegations against them share similar features, proof of service has not been filed as to all defendants, and at least one of the defendants has raised the possibility that it will coordinate with other defendants to brief any future motion to dismiss (Docket # 39), the Court finds that it would not be efficient to have differing dates for defendants to answer or move with respect to the complaint.

Accordingly, the deadline for all defendants to answer or move with respect to the complaint is adjourned sine die. On the date when certificates of service as to all defendants have been filed, plaintiff shall file a letter to the Court so indicating and the Court at that time will set a date for all defendants to answer or move with respect to the complaint. Given that the time to serve defendants newly-named in the Amended Complaint expires on April 4, 2024, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, the Court expects that the letter from plaintiff will be filed no later than April 11, 2024. If service has not been effectuated on all defendants by that date, plaintiff shall on or before April 11, 2024, file a letter explaining why there is good cause to extend the deadline for service.

Once plaintiff’s letter has been filed reflecting that proof of service has been filed as to all defendants, any party may file a letter proposing dates for the filing of any answers or motions to dismiss (which will be returnable before Judge Clarke). The parties are required to contact each other before making such proposals and the Court is hopeful that a single joint proposal as to a schedule will be filed.

To the extent the defendants expect to raise similar issues in any planned motion to dismiss, they are encouraged to file joint submissions on the briefing of that motion (or join other submissions) to minimize the burden on Judge Clarke.

In light of this Order, New Balance Athletics, Inc.’s pending motion to dismiss (Docket # 30) is deemed withdrawn without prejudice and with leave to reinstate by letter at any time in the event that New Balance Athletics, Inc. does not participate in coordinated briefing.

SO ORDERED.

Dated: January 30, 2024  
New York, New York



GABRIEL W. GORENSTEIN  
United States Magistrate Judge